

TENNESSEE BOARD OF ALCOHOL AND DRUG ABUSE COUNSELORS MINUTES

DATE: August 13, 2004

TIME: 9:16 a.m.

LOCATION: Tennessee Room
Ground Floor, Cordell Hull Building
Nashville, TN

BOARD MEMBERS

PRESENT: Albert Richardson, Jr., Chair
Karen Starr
Chelsea Taylor
Michael Jackson
Janice Higgins

STAFF PRESENT: Joan Burk, Board Administrator
Richard Russell, Advisory Attorney
Rick Agee, Unit Director
Barbara Maxwell, Administrative Director

Mr. Richardson, chair, called the meeting to order at 9:16 a.m. A sufficient number of board members were present to constitute a quorum.

Review Minutes

Upon review of the May 21, 2004 minutes, Ms. Starr made a motion, seconded by Mr. Taylor, to approve the minutes as written.

Conflict of Interest

Mr. Russell introduced himself to the board stating he is replacing Nicole Armstrong who has a conflict with another board meeting.

Mr. Russell reminded the members to disclose any interest they may have in matters coming before the board to determine if it would prohibit the member from making a non-biased decision.

Letter of Reprimand for Brian Van Camp

Ms. Doty presented the letter of reprimand to the board stating this involved a minor involved in a custody issue. Ms. Doty said Mr. Van Camp's counseling moved into areas not drug related and delayed in making an appropriate referral.

Upon conclusion, Ms. Starr made a motion, seconded by Mr. Taylor, to ratify the letter of reprimand to Mr. Brian Van Camp. The motion carried.

Report from Jerry Kosten, Rules Coordinator

Mr. Kosten stated the amendment to Rules 1200-30-1-.04, .05 and .08, which adds a jurisprudence examination to the application package, becomes effective August 29, 2004.

Mr. Kosten said the amendments to Rule 1200-30-1-.01, definitions, Rule 1200-30-1-.10, supervision, and Rule 1200-30-1-.12, continuing education have been made pursuant to the board's request. Upon review, Mr. Taylor made a motion, seconded by Ms. Starr, to send the amendments to rulemaking. The motion carried.

Office of General Counsel Report

Mr. Russell reiterated Mr. Kosten's statement that Rule 1200-30-1-.04, .05 and .08 becomes effective August 29, 2004.

Mr. Russell said Rule 1200-30-1-.15, regarding orders of compliance and modification, Rule 1200-30-1-.08-.12, regarding multi-media continuing education and Rule 1200-30-1-.06, regarding raising the application and renewal fees are in the Office of the Attorney General for review.

Discuss Results of Task Force Meeting

The task force consisting of Karen Star, Michael Jackson, Chelsea Taylor, Jr., Bob Guinsburg, Kathy Benson, Bob Rudolph, John York, Nicole Armstrong, Joan Burk and Rick Agee met May 21, 2004 to discuss ways to improve the pass/failure rate of the oral examination.

Mr. Guinsburg said in the meeting they discussed having an evaluator evaluate the oral examination team during the actual examination, having John York setting up mock examinations, and scheduling regional oral examination training.

Mr. Richardson suggested getting both associations together at the next task force meeting to identify criteria for the senior examiner qualification. Mr. Richardson said the board agrees to John York setting up mock examinations.

Mr. Agee said he discovered at the task force meeting that the oral examination had been rewritten and asked who authorized the re-writing of the oral examination. Mr. Agee asked if it was ratified by the board.

Mr. Richardson thanked Mr. Guinsburg for his report and asked Ms. Benson to address the board regarding the rewriting of the oral examination.

Oral Examinations

Ms. Benson said the Middle Tennessee affiliate of NAADAC began the process for updating the oral examination in 1999. Ms. Benson said they added questions and amended the questions to be more comprehensive and more conclusive of the primary functions. Ms. Benson said she does not know if the board ever adopted the examination.

Mr. Russell asked Ms. Benson if the changes were adopted piece by piece and ratified by the board as the changes were made. Ms. Benson said there was never any final, formal adoption.

Mr. Russell said the board should track what changes have been made and ratified by the board since 1999 to relieve the board of any liability.

Ms. Benson stated she would get that information to Ms. Burk for the next board meeting.

Mr. Agee suggested, due to the high failure rate of the oral exam, that the board look at the failed exams to determine which questions applicants are failing.

Financial Report

Ms. Burk said the board has a deficit of \$2,036 which the fee increase will help eliminate. Mr. Richardson said the fee increase should take care of the deficit by year end 2005.

Mr. Russell said the rule is in the Attorney General's Office for review and upon approval Mr. Kosten will file it with the Secretary of State where it will become effective seventy-five (75) days after filing.

Status Report

Ms. Burk said there are 538 active alcohol and drug counselors, 94 voluntarily retired, 137 failed to renew and 37 new applications in process.

Administrative Report

Ms. Burk reviewed the administrative report stating of the forty-seven (47) licensees that renewed their licenses between May 1 and July 20, 2004, eleven (11) renewed online.

Ms. Burk said there is no longer a freeze on travel and asked board members wanting to attend meetings to submit the paperwork to her at least 60 days prior to the meeting date in order to get the request submitted in a timely manner.

Mr. Richardson said at this time the freeze on travel will remain since the board has a \$2,026 deficit.

Ms. Burk informed the board that with the exception of new applications, all files for this profession have been imaged.

Ms. Burk stated she is having a problem with continuing education course providers. Ms. Burk said the providers think once they are issued a number for the course that it applies to any course they offer and not just the one submitted for approval.

Ms. Burk said of the 203 licenses that were audited she received 160 responses. Ms. Burk said the consultants are in the process of reviewing the continuing education for compliance. Mr. Richardson said the board needs to be clear on submitting the information to the public and the issue would be discussed at the next Task Force Meeting.

Mr. Agee said the audit also showed several wrong addresses which, according to the rules, must be submitted to the board office within thirty days after an address change.

Mr. Richardson suggested having the Health Care Facilities inspectors verify that alcohol and drug abuse counselors have a current license and address on file with the board office.

Mr. Agee said he will discuss this matter with Ms. Bell and Ms. Gammon.

Investigative Report

Ms. Burk said three complaints have been closed, two with no action and one sent to the Office of General Counsel.

Disciplinary Report

Ms. Burk said there is currently one alcohol and drug abuse counselor being monitored. Ms. Burk stated Ms. Phelps included a list of all alcohol and drug abuse counselors who have been disciplined for the board's review.

Discuss Senate Bill 3459

The board discussed Senate Bill 3459 which gives the board the authority to select an independent reviewer to review medical records to determine if they are required pursuant to a complaint, survey or inspection. The board informed Mr. Russell that federal law prohibits alcohol and drug abuse counselors from revealing medical records without a court order.

Mr. Russell asked the board to postpone this issue until review of the federal law which may preside over this rule.

Review and Respond to Correspondence

Ms. Armstrong said she had a conflict with board meetings but wanted to attend the meeting to discuss correspondence.

Ms. Armstrong discussed the letter from Dr. Laban with the board regarding the **Laban Trainings** which is a distance learning continuing education course. Ms. Armstrong said

Dr. Laban stated he has 75 people enrolled in the program and request the board approve the course.

Ms. Armstrong said the current rule does not provide for multimedia courses and the pending amendment to the continuing education rule only approves multimedia courses for one year increments.

Upon discussion, Ms. Starr made a motion, seconded by Mr. Taylor, to approve the course by Dr. Laban for one year. The motion carried.

Ms. Armstrong said she would send a letter to that effect to Dr. Laban.

Discuss Certificate of Qualified Clinical Supervision and approve changes to application forms

Ms. Armstrong asked the board to review the application and certificate of qualified supervision. Ms. Armstrong said she and Ms. Burk promulgated two affidavits of supervision for the board review.

Mr. Richardson asked Ms. Armstrong to review the draft by Ms. Benson regarding the introduction of new rules. Ms. Armstrong said she will review the draft for discussion at the next board meeting.

Application Review

Ms. Starr made a motion, seconded Mr. Jackson, to approve **Marilyn Woods-Robinson, Damon Deal** and **Shannon Genz** to take the written exam. The motion carried.

Ms. Starr made a motion, seconded by Mr. Jackson, to approve **Sherree Frierson** to take the written exam pending receipt of the acceptable hours she took dedicated to each core function. The motion carried.

Mr. Jackson made a motion, seconded by Ms. Starr, to approve the reciprocity application of **Susan Nelson** for licensure. The motion carried.

Mr. Taylor made a motion, seconded by Ms. Starr, to approve the reciprocity application of **Elaine Grindle** for licensure. The motion carried.

Reinstatement Application Review

Ms. Starr made a motion, seconded by Mr. Taylor, to approve the reinstatement application of **Pamela Fairley**. The motion carried.

Mr. Jackson made a motion, seconded by Ms. Starr, to approve the reinstatement application of **Sarah Davis**. The motion carried.

Mr. Richardson made a motion, seconded by Ms. Starr, to send **Barrett Battle** a letter stating he cannot reinstate his application without paying the applicable fees in the amount of \$2,900 and that he cannot work on an expired license. The motion carried.

Mr. Taylor made a motion, seconded by Ms. Starr, to approve the reinstatement application of **Ebbie Ferguson** upon receipt of proof she has successfully completed the required 30 hours of continuing education. The motion carried.

Ratify Oral Exam Results

Ms. Starr made a motion, seconded by Mr. Taylor, to ratify the oral exam passing score of **Ruth Daniel**. The motion carried.

Mr. Jackson made a motion, seconded by Ms. Starr, to ratify the oral exam passing score of **Mary Carter**. The motion carried.

Mr. Richardson made a motion, seconded by Ms. Starr, to ratify the oral exam passing score of **Kathleen Douthat**. The motion carried.

Ms. Starr made a motion, seconded by Mr. Jackson, to ratify the oral exam failing score of **Deborah Nash**. The motion carried.

Mr. Jackson made a motion, seconded by Ms. Starr, to ratify the oral exam failing score of **Carolyn Hamlet**. The motion carried.

Ms. Starr made a motion, seconded by Mr. Taylor, to ratify the oral exam failing score of **Katherine Baker**. The motion carried.

Mr. Taylor made a motion, seconded by Mr. Jackson, to ratify the oral exam failing score of **Andrew Anderson**. The motion carried.

Review and consider course provider/independent requests for continuing education hours

Mr. Richardson made a motion, seconded by Ms. Starr, to accept the following course providers for a period of one year.

Verran Enterprise

Workshops:

Treating the Methamphetamine Addicted Client – 9/3/04 – 6 hours elective education

Leadership Workshop – 12/6/04 – 6 hours elective education

Basic Confidentiality Laws Related to Alcohol/Drug Issues – 9/20/04 – 6 hours ethics

Sexual Addiction – 10/8/04 – 3 hours assessment, 3 hours counseling

The Use of Guided Imagery in Healing – 11/22/04 1 hour screening, 2 hours assessment, 3 hours counseling

Cumberland Heights

Workshops:

Motivational Interviewing – 10/13/04 and 10/20/04 – 6 hours counseling

Introduction to Experiential Therapy and Its Use with Substance Abusers and their families – 10/22/04 and 10/23/04 – 1 hour assessment, 11 hours counseling.

Laban's Trainings - Distance Learning Courses

Workshops:

Psychopharmacology in Addiction Treatment Settings – 7 hours screening, 8 hours assessment

Dual Diagnosis: Personality Disorders – 7 hours screening, 8 hours assessment

Domestic Violence and Substance Abuse – 7 hours screening, 7 hours assessment

Substance Abuse with Older Adults – 7 hours assessment, 8 hours counseling

Three Theories of Counseling – Psychoanalytic, Cognitive and Reality Approaches – 15 hours counseling

Motivational Counseling – 15 hours counseling

Brief Interventions in Chemical Dependency – 115 hours counseling

Dual Diagnosis: Mood Disorders – 7 hours screening, 8 hours assessment

Case Management Issue – 10 hours case management

Drug of Abuse – 8 hours assessment

Mental status assessment in addiction treatment settings – 8 hours assessment

Health issues for addiction setting employees – 4 hours screening, 4 hours case management

Understanding withdrawal & detoxification – 8 hours assessment

Adolescent Treatment Issues – 4 hours screening, 4 hours assessment

Criteria Based Documentation – 3 hours screening, 4 hours report and record keeping

Group Counseling: Process and Techniques – 7 hours counseling

Cognitive-behavioral Treatment of Cocaine Addiction – 16 hours counseling

Clinical Supervision Foundations – 16 hours consultation

Defense Mechanisms and Coping Strategies in Counseling – 6 hours counseling

Cultural Diversity in Counseling – 3 hours assessment, 3 hours counseling

Values Driven Addiction Supervision – 6 hours consultation

Dual Diagnosis: Assessment Issues – 6 hours assessment

Ethics Training – 6 hours consultation

HIV/AIDS Training – 3 hours screening, 3 hours case management

Addiction Based Treatment Planning – 6 hours consultation

Aspirational Ethics – 6 hours consultation

Clinical Supervision Principles, Techniques and Methods – 6 hours consultation

The AIDS Rollercoaster: Counseling the HIV Client – 6 hours counseling

21st Century Ethics in Counseling – 6 hours consultation

The Methadone Controversy – 2 hours screening, 2 hours assessment

Carolinas Conference on Addiction and Recovery

August 13, 2004

MEDS/PDN

Professional Ethics in Action in Tennessee – 11/5/04 – 6 hours ethics

Mr. Richardson made a motion, seconded by Ms. Starr, to deny the following course providers:

AMEDCO

Transforming the Difficult Child – 9/13/04 – No actual alcohol and drug courses

Orion Healthcare Technology

Course held prior to the board meeting

The motion carried.

Mr. Richardson asked Ms. Burk to sunshine a change in the requirement for continuing education course providers to submit courses for approval 30 days prior to the next board meeting rather than 90 days for the next meeting.

Schedule Board Meetings for 2004 and 2005

The board scheduled the following dates for the 2004/2005 board meetings:

Friday, October 22, 2004 – 9:00 a.m.

Friday, January 7, 2005 – 9:00 a.m.

Friday, May 20, 2005 – 9:00 a.m.

Friday, September 9, 2005 – 9:00 a.m.

Mr. Richardson thanked Ms. Burk on behalf of the board for conducting a smooth meeting.

With no other board business to conduct, Ms. Starr made a motion, seconded by Mr. Jackson, to adjourn at 1:40 p.m.

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